

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA, DAMAN AND DIU

### GOVERNMENT OF GOA, DAMAN AND DIU

Home Department 'A'

#### Notification

HD-21-32/71-A

In exercise of the powers conferred by clause (ff) of sub-section (2) of section 41 of the Motor Vehicles Act, 1939 (4 of 1939) the Administrator of Goa, Daman and Diu hereby makes, as follows, the sixteenth amendment to the Goa, Daman and Diu Motor Vehicles Rules, 1965 namely:

1. *Short title and commencement.* — (1) These Rules may be called the Goa, Daman and Diu Motor Vehicles (Sixteenth Amendment) Rules, 1972.

(2) They shall come into force at once.

2. *Insertion of new Rule 1.5.* — After the existing rule 1.4 of the Goa, Daman and Diu Motor Vehicles Rules, 1965 the following new rule shall be inserted namely: —

"1.5 All Motor Vehicles owned by the Co-operative for American Remittances to Europe Ins (CARE) and used in connection with its activities shall be exempt from the payment of fees prescribed under these rules".

By order and in the name of the Administrator of Goa, Daman and Diu.

G. M. Sardesai, Under Secretary (Home).

Panaji, 18th July, 1972.

Revenue Department

#### Notification

RD/LND/280/70-72

The following draft of the rules which the Government of Goa, Daman and Diu proposes to make under Section 55 of the Land Acquisition Act, 1894 (1 of 1894) is hereby published for the general information.

Notice is hereby given that the said draft will be taken into consideration by the Government on the expiry of fifteen days from the date of publication of this notification in the Official Gazette.

All objections, suggestions if any may be sent to Secretary to the Government of Goa, Daman and Diu, in the Revenue Department, Secretariat, Panaji,

Goa within 15 days of publication of this notification so that they may be taken into consideration at the time of finalization of the rules.

#### DRAFT RULES

In exercise of the powers conferred by Section 55 of the Land Acquisition Act, 1894 (Act 1 of 1894) the Government of Goa, Daman and Diu hereby makes after previous publication, the following Rules, namely: —

1. *Short title, extent and commencement of the Rules.* — (1) These Rules may be called the Goa, Daman and Diu Land Acquisition Rules, 1972.

(2) They shall extend to the whole of the Union Territory of Goa, Daman and Diu, and shall come into force at once.

2. *Definitions.* — In these Rules, unless the context otherwise requires —

(1) "Act" means the Land Acquisition Act, 1894, (Act 1 of 1894).

(2) "Government" means the Government of Goa, Daman and Diu.

(3) "Section" means the section of the Act.

3. *Survey and investigation under Section 4(2).* — The officer authorised by the Government under sub-section (2) of Section 4, shall complete the work of Survey and investigation and forward his report to the Collector, as far as practicable, within three months after the issue of the notification under Section 4.

Provided that the Collector may enlarge the period for completion of the work of survey and investigation and submission of report.

4. *Procedure for hearing of objections under Section 5A.* — (1) Whenever any notification under Section 4 has been published, but the provisions of Section 17 have not been applied, and the Collector has issued public notice of the substance of the said Notification, and on or before the last day fixed by the Collector in the said Notice, any objection is lodged under Section 5A(2) the Collector shall *firstly* record the objection in his proceedings, and *secondly* shall consider whether the objection is admissible according to the provisions of these Rules.

(2) To be admissible, an objection shall have been made within 30 days after the issue of the notification or within such further period as may be fixed by the Collector and shall allege some specific objection such as: —

(i) the notified purpose is not genuinely or properly a public purpose;

- (ii) the land notified is not suitable for the notified purpose;
- (iii) the land is not so well suited as other land;
- (iv) the area proposed is excessive;
- (v) the objector's land has been selected maliciously or vexatiously; or
- (vi) the proposed acquisition will destroy or impair the amenity of historical or artistic monuments and places of public resorts or will take away important public rights of way or other convenience or will desecrate religious buildings, graveyards and the like.

(3) After admitting an objection and after having given the objector an opportunity of being heard, the Collector shall decide whether it is desirable to take oral or documentary evidence, which under Section 14, or Section 40 he has power to call for. If evidence tendered by the objector is admitted, the Collector shall also afford the other party an opportunity of cross examining it or rebutting it by other evidence. If he admits evidence he shall fix time and place for hearing it and shall hear and record it in his proceedings.

(4) The Collector shall, submit the case with his report and record of the proceeding for the decision of the Government under Section 5A, as far as practicable within 45 days after the expiry of the period prescribed for lodging objection or within 15 days after the survey and investigation under sub-section (2) of Section 4 is completed and report submitted to him whichever is later.

**5. Cost of acquisition establishment payable by a local authority or company.** — The charge of land acquired at the cost of any fund controlled or managed by a local authority or any company mentioned in Section 50, shall include the cost of the acquisition established, calculated on the basis of the compensation awarded at the following rates:—

Total awarded compn.	Percentage	With minimum of
Rs. 1 to 1,000	5	Rs. 10
Rs. 1,001 to 5,000	2	Rs. 50
Rs. 5,000 upwards	1	Rs. 100

By order and in the name of the Administrator of Goa, Daman and Diu.

*P. S. Bhatnagar*, Secretary (Revenue).

Panaji, 7th July, 1972.

Legislative Assembly of Goa, Daman and Diu

Legislature Department

LA/A/7/1120/72

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu, on 18th July, 1972, is hereby published for general information in pursuance of the provisions of Rule 127 of the Rules of Procedure and Conduct of Business of Legislative Assembly.

## The Goa, Daman and Diu Mamlatdar's Court (First Amendment) Bill, 1972

(Bill No. 7 of 1972)

A Bill to amend the Goa, Daman and Diu Mamlatdar's Court Act, 1966.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-third year of the Republic of India as follows:—

**1. Short title and Commencement.** — (1) This Act may be called the Goa, Daman and Diu Mamlatdar's Court (First Amendment) Act, 1972.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

**2. Amendment of Section 26.** — Clause (e) of sub-section (2) of section 26 of the Goa, Daman and Diu Mamlatdar's Court Act, 1966 shall be deleted.

### Statement of Objects and Reasons

Section 22 of the Goa, Daman and Diu Mamlatdar's Courts Act, 1966 gives the Collector powers of revision. The said Section 22 itself lays down the procedure to be followed by the Collector while exercising the powers of revision. However, it may be seen that clause (e) of sub-section (2) of Section 26 of the Act again enables the Government to frame rules so as to prescribe the procedure to be followed by the Collector under Section 22. As Section 22 itself lays down the procedure, it is felt that clause (e) of sub-section (2) of Section 26 is superfluous. The present bill seeks to delete the said clause.

Panaji,  
30th June, 1972.

PRATAPSING RANE  
Minister for Revenue

Assembly Hall,  
Panaji,

18th July, 1972.

B. M. MASURKAR  
Secretary to the Legislative  
Assembly of Goa, Daman and Diu.

LA/A/7/1121/72

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu, on 18th July, 1972, is hereby published for general information in pursuance of the provisions of Rule 127 of the Rules of Procedure and Conduct of Business of Legislative Assembly.

## The Goa, Daman and Diu Sales Tax (Amendment) Bill, 1972

(Bill No. 8 of 1972)

A  
BILL

to amend the Goa, Daman and Diu Sales Tax Act, 1964.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-third year of the Republic of India as follows:—

**1. Short title and commencement.** — (1) This Act may be called the Goa, Daman and Diu Sales Tax (Amendment) Act, 1972.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 7.*—In sub-section (1) of section 7 of the Goa, Daman and Diu Sales Tax Act, 1964 (G.D.D. 4 of 1964),—

(1) in clause (a) for the words “of ten paise in the rupee” the words “of eleven paise in the rupee” shall be substituted;

(2) in clause (b) for the words “of two paise in the rupee” the words “of three paise in the rupee” shall be substituted;

(3) in clause (c) for the words “of five paise in the rupee” the words “of six paise in the rupee” shall be substituted.

3. *Amendment of section 10.*—For sub-section (2) of section 10 of the Goa, Daman and Diu Sales Tax Act, 1964, the following shall be substituted, namely:—

“(2) The Government may, by notification in the Official Gazette, add to, omit from, or otherwise amend, the entries in the Second Schedule”.

#### Statement of Objects and Reasons

The main object of the Bill is to provide for a slight increase in the existing rates on sales of goods in this Union Territory. The purpose is to raise additional revenue to meet the demand for more resources required to finance the development projects of this Territory. The same purpose is proposed to be achieved without affecting the life of the common man. The goods which are most essential for his life like food, clothing, books, etc. and are specified in the Second Schedule annexed to the Goa, Daman and Diu Sales Tax Act, 1964, have been left untouched by this Bill and they continue to be tax-free. The small increase in the rates has been proposed after considering the rates in force on similar goods in the neighbouring States.

2. Section 10(2) of the principal Act confers the power to amend the second schedule (viz. schedule of tax free goods) on the Central Govt. instead of the Govt. of the Union Territory of Goa, Daman and Diu. Although the Administrator of Goa, Daman and Diu was empowered by the Govt. of India to discharge the functions of the Central Govt. under this Section, the arrangement was not found convenient, because every notification issued by the Administrator in exercise of the delegated power, had to be sent to New Delhi for publication in the Gazette of India. It was, therefore, decided in consultation with the Govt. of India that the power to amend the second schedule should be conferred on the Govt. of this territory. The object of Clause 3 of the Bill is to effect this change.

#### Financial Memorandum

No financial commitment is involved in this Bill as there will be no additional expenditure due to the proposed amendment.

The existing machinery will deal with whatever additional work may arise on account of the proposed amendment.

Panaji, D. B. BANDODKAR  
4th July, 1972 Chief Minister

Assembly Hall, B. M. MASURKAR  
Panaji, Secretary to the Legislative Assembly  
18th July, 1972 of Goa, Daman and Diu

LA/A/7/1159/72

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 21st July, 1972, is hereby published for general information in pursuance of the provisions of Rule 127 of the Rules of Procedure and Conduct of Business of Legislative Assembly.

### THE GOA, DAMAN AND DIU APPROPRIATION BILL, 1972

(Bill No. 9 of 1972)

A Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu for the services and purposes of the financial year 1972-73.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty Third Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Goa, Daman and Diu Appropriation Act, 1972.

2. **Issue of Rs. 30,34,59,000 out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu for the financial year 1972-73.**—From and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu, there may be paid and applied sums not exceeding those specified in column 5 of the Schedule, amounting in the aggregate [inclusive of the sums specified in column 3 of the Schedule to the Goa, Daman and Diu Appropriation (Vote on Account) Bill, 1972 (Bill No. 2 of 1972)] to the sum of thirty crores, thirty four lakhs and fifty nine thousand rupees, towards defraying the several charges which will arise for payment during the financial year 1972-73 in respect of the services and purposes specified in column 2 of the Schedule.

3. **Appropriation.**—The sums authorised to be paid and applied from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said financial year.

#### THE SCHEDULE (See Sections 2 & 3)

No. of vote	Services and purposes	Sums Voted by Assembly	Sums Charged on the Consolidated Fund	Total
1	2	3	4	5
		Rs.	Rs.	Rs.
1.	Land Revenue ...	6,45,000	—	6,45,000
2.	State Excise Duties	11,00,000	—	11,00,000
3.	Taxes on Vehicles ...	4,55,000	—	4,55,000
4.	Sales Tax ...	4,25,000	—	4,25,000
5.	Other Taxes and Duties ...	1,86,000	—	1,86,000
6.	Stamps ...	29,000	—	29,000
7.	Registration Fees ...	5,30,000	—	5,30,000
—	Interest on Debt and Other Obligations	—	1,69,73,000	1,69,73,000

1	2	3	4	5
		Rs.	Rs.	Rs.
8. Legislative Assembly ...	...	6,35,000	40,000	6,75,000
9. General Administration ...	...	59,00,000	2,01,000	61,01,000
10. Administration of Justice ...	...	11,75,000	3,28,000	15,03,000
11. Jails ...	...	6,80,000	—	6,80,000
12. Police ...	...	86,00,000	—	86,00,000
13. Miscellaneous Departments ...	...	8,84,000	—	8,84,000
14. Scientific and Education Departments ...	...	3,49,90,000	—	3,49,90,000
15. Medical and Public Health Services ...	...	2,64,77,000	—	2,64,77,000
16. Agriculture, Forest and Animal Husbandry ...	...	1,01,02,000	—	1,01,02,000
17. Cooperation and Community Development ...	...	58,19,000	—	58,19,000
18. Industries and Labour ...	...	17,75,000	—	17,75,000
19. Miscellaneous, Social and Developmental Organisations ...	...	40,74,000	—	40,74,000
20. Irrigation, Navigation, Embankment and Drainage Works and Electricity Schemes ...	...	1,70,03,000	—	1,70,03,000
21. Public Works ...	...	1,63,08,000	—	1,63,08,000
22. Road and Transport Schemes (including Ports and Pilotage) ...	...	32,50,000	—	32,50,000
23. Pensions and Other Retirement Benefits ...	...	34,73,000	—	34,73,000
24. Stationery and Printing ...	...	20,51,000	—	20,51,000
25. Miscellaneous (including Miscellaneous Compensations and Assignments) ...	...	69,33,000	—	69,33,000
26. Capital Outlay on Improvement of Public Health ...	...	1,14,16,000	—	1,14,16,000
27. Capital Outlay on Schemes of Agricultural Improvement and Research ...	...	61,81,000	—	61,81,000
28. Capital Outlay on Industrial and Economic Development ...	...	42,77,000	—	42,77,000
29. Capital Outlay on Irrigation and Electricity Schemes ...	...	3,52,70,000	—	3,52,70,000
30. Capital Outlay on Public Works ...	...	1,50,14,000	—	1,50,14,000

1	2	3	4	5
		Rs.	Rs.	Rs.
31. Capital Outlay on Other Works ...	...	28,49,000	—	28,49,000
32. Capital Outlay on Road and Transport Schemes (including Ports) ...	...	31,65,000	—	31,65,000
33. Capital Outlay on Forests ...	...	11,56,000	—	11,56,000
34. Capital Outlay on Schemes of Government Trading ...	...	3,46,02,000	—	3,46,02,000
— Repayment of Debt ...	...	—	1,15,76,000	1,15,76,000
35. Loans and Advances ...	...	69,12,000	—	69,12,000
TOTAL ...		27,43,41,000	2,91,18,000	30,34,59,000

## Financial memorandum

Provision is made in the Bill to appropriate for the services and purposes expressed in the Schedule during the financial year 1972-73 a sum of Rs. 30,34,59,000/-. This amount consists of Rs. 17,10,41,000/- on Revenue Account and Rs. 13,24,18,000/- on Capital Account including Public Debt and Loans and Advances and includes also the sums specified in the Schedule to the Goa, Daman and Diu Appropriation (Vote on Account) Bill, 1972 (Bill no. 2 of 1972) passed by this Assembly on 29th March, 1972.

## Statement of objects and reasons

The Budget for the year 1972-73 was presented to the Legislative Assembly on 28th March, 1972. The Demands for Grants have since been discussed and voted by the Assembly. This Appropriation Bill is, therefore, introduced in accordance with the provisions of sub-Section (1) of Section 29 of the Government of Union Territories Act, 1963, to provide for the appropriation out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu of the moneys required for the services during the financial year 1972-73.

The Administrator, has in pursuance of sub-Section (1) of Section 23 of the Act *ibid*, recommended to the Legislative Assembly, the introduction and consideration of the Bill.

Panaji,

July 21, 1972. DAYANAND B. BANDODKAR

Asadha 30, 1894.

Chief Minister

Assembly Hall,

Panaji,

24th July, 1972.

B. M. MASURKAR

Secretary to the Legislative Assembly  
of Goa, Daman and Diu